

**STATE OF GEORGIA
CITY OF DORAVILLE**

ORDINANCE NO. 2022-44 (A-22-15)

AN ORDINANCE TO AMEND CHAPTER 23 OF THE CODE OF ORDINANCES, CITY OF DORAVILLE, GEORGIA, TO PROVIDE A DEFINITION FOR SHORT-TERM RENTAL; TO PERMIT SHORT-TERM RENTALS IN RESIDENTIAL ZONING DISTRICTS; TO PROHIBIT SHORT-TERM RENTALS IN ALL OTHER ZONING DISTRICTS; AND FOR OTHER PURPOSES

WHEREAS, the duly elected governing authority of the City of Doraville, Georgia (the “City”) is the Mayor and Council thereof; and

WHEREAS, the Mayor and City Council are charged with the preservation of the health, safety and welfare of the citizens of the City and has exercised said authority by, among other means, adopting zoning regulations; and

WHEREAS, the Mayor and City Council find evident the growth and popularity of short-term rentals, which are rentals of residential dwellings for periods shorter than 30 days; and

WHEREAS, the Mayor and City Council, to preserve the neighborhoods of the City and the peace of the residential districts, have determined it necessary to prohibit certain types of short-term rental uses in order to preserve the identity of residential properties and neighborhoods; and

WHEREAS, a properly-advertised public hearing in conformance with the Zoning Procedures Act has been held prior to the adoption of this Ordinance; and

WHEREAS, the health, safety, and general welfare of the citizens of the City will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DORAVILLE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 23 (“Zoning”), Article IV (“Interpretations and Definitions”), Section 23-402 (“Definitions”) of the City Code is hereby amended by adding a definition for “Short-Term Rental” to read as follows:

Short-Term Rental means an accommodation or lodging unit for transient guests where, in exchange for compensation, (a) a residential dwelling unit or (b) a separate bedroom in an owner-occupied residential dwelling unit, in which the owner is present, is provided for overnight lodging for a period of less than 30 consecutive days. For the purposes of this definition, a short-term rental shall include all housing types, but shall exclude hotels, motels, and boarding or rooming houses, as such terms are defined in this Chapter.

SECTION 2: Chapter 23 (“Zoning”), Article VI (“General Provisions”) of the City Code is hereby amended by adding a new Code Section 23-615, entitled “Short-Term Rentals,” to read as follows:

Sec. 23-615. Short-Term Rentals.

A short-term rental, as defined in this chapter and as further provided herein, is a permitted use only in residential zoning districts and on properties located in transect zones that are zoned for residential use. Where an owner-occupier, as demonstrated by a valid homestead exemption on file with DeKalb County, is renting out one (1) or two (2) bedrooms in the owner-occupied residential dwelling unit, and not the entire residential dwelling unit, the owner-occupier must be present on the premises during the period of rental and no more than two (2) separate bedrooms in the owner-occupied residential dwelling unit may be separately rented out at the same time. No property may be used as a short-term rental without the owner of same first obtaining a short-term rental permit from the City. Short-term rentals shall be subject to the hotel-motel occupancy tax imposed pursuant to Chapter 6, Article V of this Code in accordance with Georgia law.

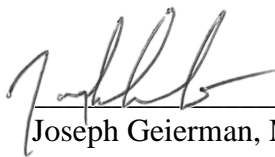
SECTION 3: All ordinance or parts of ordinances in conflict therewith are hereby expressly repealed.

SECTION 4: This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Doraville.

SECTION 5: This Ordinance shall become effective on the date of adoption.

SO ORDAINED AND EFFECTIVE THIS 15th day of August, 2022.

CITY OF DORAVILLE, GEORGIA




Joseph Geierman, Mayor

July 18, 2022
First Reading

August 15, 2022
Second Reading


ATTEST:



Arika Birdsong-Miller, City Clerk



APPROVED AS TO FORM:



Cecil G. McLendon, Jr., City Attorney